

APPROVED MINUTES
CITY OF MILPITAS

Minutes:	Regular Meeting of Milpitas City Council (Including Joint Meeting with Redevelopment Agency)
Date of Meeting:	February 4, 2003
Time of Meeting:	6:30 p.m. (Closed Session) 7:30 p.m. (Regular Session)
Place of Meeting:	Milpitas City Hall, 455 E. Calaveras Boulevard

ROLL CALL

Mayor Esteves called to order the regular meeting of the Milpitas City Council at 6:30 p.m. Present were: Mayor Esteves, Vice Mayor Dixon, and Councilmembers Polanski, and Gomez. Councilmember Livengood arrived at 7:15 p.m.

CLOSED SESSION

Mayor Esteves publicly stated the Council would convene in Closed Session to discuss the following two items listed on the agenda.

1. **CONFERENCE WITH LABOR NEGOTIATOR**
(Pursuant to Government Code Section 54957.6)
Agency Negotiator: Art Hartinger
Employee Organizations: MEA
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
(Pursuant to Government Code Section 54956.8)
Property: APN Nos. 86-05-021, 86-05-009, and 86-11-013
Negotiating Party: Tom Wilson
Under Negotiation: Terms and Conditions for Acquisition/Lease of Property

Mayor Esteves adjourned the meeting to closed session at 6:31 p.m.

The City Council meeting reconvened at 7:38 p.m. with Mayor Esteves presiding and Vice Mayor Dixon and Councilmembers Livengood, Polanski, and Gomez present.

**CLOSED SESSION
ANNOUNCEMENTS**

There were no closed session announcements.

PLEDGE OF ALLEGIANCE

Members of Boy Scout Troop 164 led the Council and audience in the pledge of allegiance.

MINUTES

MOTION to approve the City Council minutes of January 21, 2003, including joint meeting with the Redevelopment Agency, as submitted.

M/S: Dixon, Livengood.

Ayes: 5

SCHEDULE OF MEETINGS

City Manager Tom Wilson noted the City would be co-hosting a Reception for Congressman Mike Honda on Monday, February 10, 2003, in the City Hall Rotunda at 6:00 p.m.

Mayor Esteves stated the Utility Rate Subcommittee would be meeting on February 10, 2003, at 6:30 p.m.

MOTION to approve the Schedule of Meetings as amended.

M/S: Livengood, Dixon.

Ayes: 5

PRESENTATIONS

Mayor Esteves presented a Certificate of Appointment to the Community Advisory

Commission to Syed Mohsin for a term expiring January 2005, and to the Telecommunications Commission to William Lam for a term expiring January 2005.

Mayor Esteves read a proclamation congratulating Maintenance Worker II Judy Ward for being the recipient of the 2003 Gene Schwab Memorial "Service Above Self" award, and presented the proclamation to Ms. Ward. Mayor Esteves recognized Gene Schwab's brother, Harold Schwab, who was present in the audience. Frank DeSchmit, representing the Rotary Club, presented Ms. Ward with the Rotary Club's Gene Schwab Memorial plaque and shared the perpetual Gene Schwab Memorial plaque listing Ms. Ward's name as the 2003 recipient along with the previous seven recipients that would be displayed in City Hall. Mr. DeSchmit also presented Ms. Ward with a resolution from the House of Representatives, signed by Representative Mike Honda, and a letter from Senator Barbara Boxer expressing congratulations. On behalf of the Public Works staff and supervisors, Maintenance Worker II David Gordillo presented Ms. Ward with a bouquet of flowers.

Mayor Esteves called upon the people present in the audience being inducted into the Milpitas Black History Living Legacy Hall of Fame to join him at the podium; read a proclamation proclaiming February 2003 as "Black History Month" and presented it to Herb Holloway. Mr. Holloway expressed thanks on behalf of the inductees. Chuck Gary expressed his pleasure for the opportunity to contribute to the Milpitas community.

CITIZENS FORUM

Mayor Esteves invited members of the audience to address the Council on any subject not on the agenda, requesting that remarks, including any visual or technology-assisted presentations of any kind, be limited to two minutes or less, and noted that the City Clerk would be using the timer and when the red light at the podium came on, two minutes would be up.

Charles Ridgley stated he had recently used the City Hall plaza area for his 20th wedding anniversary celebration; thanked Mayor Esteves for officiating and staff for its support in making the event happen.

Rob Means, referring to the recent letter sent to the legislature rejecting the Governor's proposed shift of local Vehicle License Fee revenues, shared an ad from the San Jose Mercury News with ideas for raising funds to offset the budget deficit and suggested Milpitas follow-up with a resolution supporting an increase (60 cents) in the gasoline tax

ANNOUNCEMENTS

Vice Mayor Dixon stated it had been brought to the Council's attention that the Milpitas Police Department's Community Police Shopping Center Program was selected as one of the top seven proactive policing strategies for the year 2002 by the International Association-Chiefs of Police; Milpitas was the only one out of the top seven from California; and thanked the Police Chief and rank and file. Vice Mayor Dixon thanked the organizers of the recent Chinese New Year's Celebration at Terrace Gardens; reported she and Mayor Esteves participated in a dinner party for recently elected Councilmember Althea Polanski held by the School District and friends honoring her 19 years of dedication and leadership with the Milpitas Unified School District; she had received a request from a realtor for an update on Megan's Law access information and stated there would be a staff update at the February 18, 2003, Council meeting that would inform the public on how to access the new addition to the City's web site. Vice Mayor Dixon reported one of the VTA responsibilities she had taken on was to represent the City for the County-wide Expressway Plan, which identifies the worse intersections within the entire County and to work on solutions for creating the priority and setting the long-range plan (2025); the first draft proposal identifies 42 LOSF intersections out of 50; and the proposal will be coming before the Council at a future meeting.

Mayor Esteves thanked staff for preparing a well planned Commissioners' Dinner; congratulated the scoutmaster who sponsored the Pinewood Derby for the cub scouts which took place on January 26, 2003; and, continuing with the Chinese/Asian/Vietnam New Year, thanked the Milpitas High School Chinese and Vietnamese Clubs for the New Year's show;

thanked the coalition of Nationalist Vietnamese Organizations of Northern California for sponsoring the Tet Festival held in San Jose at the Santa Clara County Fairgrounds; thanked the Vietnamese Media Association of Northern California for inviting him to the New Year's banquet; and announced that the Chinese Evergreen Club in Milpitas was having its New Year's celebration on Thursday, February 6, 2003, at 1:30 p.m. at the Cracolice building.

APPROVAL OF AGENDA

MOTION to approve the agenda as submitted.

M/S: Dixon, Polanski.

Ayes: 5

CONSENT CALENDAR

Mayor Esteves inquired if anyone wished to make any changes to the Consent Calendar.

Vice Mayor Dixon requested item 3 be removed for discussion. Mayor Esteves honored the request. Mayor Esteves removed item 10 for discussion.

MOTION to approve the Consent Calendar, items with asterisks on the agenda, as amended by the removal of items 3 and 10, in accordance with the staff recommendations.

M/S: Livengood, Dixon.

Ayes: 5

***2. Appointment**

Approved the Mayor's appointment of Patrick Yung to the Recycling and Source Reduction Advisory Committee to fill an existing vacancy in the Alternate No. 2 position with a term expiring October 2003.

***6. Eighth Amendment to Redevelopment Plan**

Adopted Resolution No. 7275 of the City Council finding and determining that a Project Area Committee need not be formed in relation to the proposed eighth Amendment to the Redevelopment Plan for the Milpitas Redevelopment Project Area No. 1.

***7. Main Fire Station (Project No. 8089)**

Adopted Resolution No. 7276 granting initial acceptance subject to a one year warranty period and reducing the bond to \$479,020.20.

***8. North Milpitas Blvd. (Project No. 4140)**

Adopted Resolution No. 7277 granting initial acceptance subject to a one year warranty period and reducing the bond to \$46,927.20.

***9. Upgrade AutoCad Map (Project No. 8112)**

Authorized the upgrade of nine AutoCAD Map 4.0 licenses to AutoCAD Map 6.0 in an amount not to exceed \$14,000.

***11. SBWR Infill Phase M-4 (Project No. 6093)**

Authorized the City Engineer to execute change orders in the amount of \$44,300 to McGuire & Hester for reinforced concrete encasement around the new reclaimed water lines where the lines cross the SFWD water mains, as required by the San Francisco Water Department.

***12. SBWR Infill Phases M-2, M-3 (Project No. 6093)**

Authorized the City Engineer to execute change orders in an amount not to exceed \$207,303.76 to Preston Pipelines for the installation of recycled water mains in several areas of the city.

***13. Workers' Compensation**

Approved increased premium for Workers' Compensation Excess Insurance with Employers Reinsurance Corporation for fiscal year 2002-2003 for \$5,086 through Cal-Surance, an insurance broker.

***14. Computer Server (Project No. 8107)**

Authorized the purchase of a Compaq ProLiant ML530 computer server to support the City of Milpitas' financial system in an amount not to exceed \$19,500.

- *15.
Video Analyst System**
1. Approved the budget appropriation of \$25,568.59 to the Police Department, Investigation Services Division, capital outlay budget
 2. Authorized the purchase of the video analyst system from Intergraph Solutions Group.
- *16.
Commissioners' Dinner**
- Approved payment to Crowne Plaza in an amount not-to-exceed \$8,000 for the 2003 Commissioners' Recognition Dinner.
- *17.
Sports Complex**
- Approved payment to the Comfort Dynamics in the amount of \$6,350.00 for repair and replacement of three heat exchangers in the Milpitas Sports Center mechanical room.
- *18.
Miscellaneous Vendors**
- Approved the following purchase requests:
1. \$5,618.18 to L N Curtis and Sons for the purchase of firefighting clothing and gear for five new firefighters for the Fire Department. (Funds are available from the Fire Department budget for this purchase.)
 2. \$93,838 to Santa Clara County Crime Laboratory for the City's share of annual costs of submitting physical evidence for analysis to the Major Case Unit for the Police Department. (Funds are available from the Police Department operating budget for this service.)
 3. \$10,000 to ImageMax, Inc. for estimated annual services for digital document imaging of police reports and records for the Police Department. (Funds are available from the Police Department operating budget for this service.)
- *19.
Payroll Register**
- Approved the Payroll Register for the period ending January 11, 2003, in the amount of \$1,601,493.33.

PUBLIC HEARINGS (None)

JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING

**RA1.
CALL TO ORDER** Mayor Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 8:12 p.m.

**RA2.
ROLL CALL** Present were Mayor Esteves, Vice Mayor Dixon, and Agency/Councilmembers Gomez, Livengood, and Polanski.

**RA3.
MINUTES** MOTION to approve the Redevelopment Agency minutes of January 21, 2003, including joint meeting with the City Council, as submitted.

M/S: Dixon, Livengood. Ayes: 5

**RA4.
AGENDA** MOTION to approve the agenda and consent calendar as submitted.

M/S: Dixon, Livengood. Ayes: 5

**RA5.
CIVIC CENTER CLOSEOUT
(Project No. 8062)** Principal Engineer Mark Rogge reported the Council had initially accepted contracts for Ferma, W.W. Steel, Preston Pipelines, and Conco at previous meetings; these contracts had been completed for one year, staff had made final inspections and found the improvements by each contractor satisfactory and was recommending final acceptance and release of bonds for these contractors.

Mr. Rogge further reported the change orders being requested for approval totaled \$140,000, the largest being a claim settlement with Royal Glass of \$135,242, a claim had been received from Royal that amounted to approximately \$600,000, staff reviewed the claim and gone

through each of the items listed and found that \$135,242 was work that was appropriately completed. Mr. Rogge reviewed the City Hall budget, reported that after deducting tonight's changer order amount, the total project contingency remaining was \$345,858.

Councilmember Livengood, referring to the Royal Glass change order in the amount of \$135,242, requested an explanation of the over budget cost and the total budget figure for this contract. Mr. Rogge responded he was not sure; however, believed it to be over \$1 million; it covered all the glass in the building including the structure glass and all the metal panels; one of the issues was the attachment of some of the structural glass to the structural members; at the time the claim was brought up by Royal Glass, it was not clear if it should have been included in the contract; after careful analysis of the contract, that particular item and some of the related items were in fact not part of the contract, but was required to complete the work. City Manager Wilson believed the contract was well over \$4 million; the contract covered all the installation of the metal and the glass. Councilmember Livengood commented change orders can be put in perspective if the total amount of the contract is provided, and this contract change order amounted to less than 3%, which was not significant.

Vice Mayor Dixon commented the negotiating construction team had gone to the wall with every single claim; commended the group on its Royal Glass negotiations; and explained that the landscaping award amount should have read \$488,532.

MOTION to:

1. Adopt Resolution Nos. 7271, 7272, 7273, and 7274 granting final acceptances for Conco, Ferma, Preston Pipelines, and W & W Steel, and releasing the respective faithful performance bonds.
2. Correct the contract award amount to Shooter & Butts to \$488,532;
3. Approve the following contract change orders:
 - Figueras Seating
Storage of Council Chamber seats due to project delays: \$2,597
Additional Bonding for change order work: \$110.03
 - Interform Designers
Bench for Council Gallery: \$1,007
 - Royal Glass
Balancing Change Order: \$1,003
Construction Claim Settlement: \$135,242
 - Shooter & Butts
Correction to contract value: \$532

M/S: Dixon, Livengood.

Ayes: 5

**RA6.
CITY HALL THIRD
FLOOR IMPROVEMENTS**

Mark Rogge reported the purpose of this item was to provide access to a third floor public reception area; as part of the processes, staff looked at the reception area having an accessible counter for a person in a wheelchair, a workspace counter, logical emergency egress, employee workspace delineation, and to provide a similar level of finish to the modular workstations and units. Mr. Rogge presented the proposed plan view; stated the exit signs would be upgraded; the solid door leading into the manager/administrative/council suite area would be replaced with a split door; and explained the cost estimate for the improvements was \$45,000.

Councilmember Livengood requested an explanation of security devices listed under Electrical in the amount of \$12,000. Mr. Rogge stated it referred to the key card access, the automatic latching locks, and the handle for the doorway.

Councilmember Polanski, referring to the door leading into the administrative offices, inquired if that would have a push bar with alarms when used as an exit/emergency door. Mr.

Rogge stated it would be similar to the door located near the elevator, which would have a push bar that would be used in an emergency; these doors would sound an alarm if not activated by a key card.

Vice Mayor Dixon stated there would be a table where the public could sit to review microfiche as well as additional storage space for the City Clerk's office.

Councilmember Gomez stated he was willing to support staff recommendations if this was what it took to get access to the Clerk's office.

Vice Mayor Dixon emphasized there would still be a fully functional one stop shop at the ground floor lobby with accessibility to the information desk, planning, the ability to pay bills, and go to the computer; and hopefully, in the very near future, the public would be able to pull up public documents on the computer.

Councilmember Polanski inquired if there was any additional cost associated for supervision or hours of operation within the City Clerk's office. City Manager Wilson stated there would not be; the area would be staffed with adjustments to the present existing staff; there would be flex hours of lunch, etc. so that 8 to 5 the reception area would have either a representative from the Clerk's office or from the Manager's office available to serve the public.

Councilmember Polanski stated at the Parks, Recreation, and Cultural Resources Commission meeting, one of the commissioners mentioned that during this time of budgetary concerns and economic times, felt it wasn't prudent to be spending \$45,000; however, she did mention that it was going to be part of the original City Hall contingency and felt it would be a good expenditure to make to allow the public as much accessibility as possible.

Mayor Esteves stated that security for employees would be preserved as well.

MOTION to approve the Civic Center Subcommittee's recommended modifications to the third floor at an estimated cost of \$45,000, and directed staff to proceed.

M/S: Livengood, Dixon.

Ayes: 5

RA7.

FINANCIAL STATUS REPORT

Finance Director Emma Karlen, updating the Council on economic indicators, stated the Consumer Confidence Index, which indicates consumer expectations regarding the economy, continued to decline; a declining Index indicated that consumers were not optimistic regarding the economic situation and were unlikely to make any major purchases in the near future; locally, workforce reduction continued; and the only positive news was that job loss seems to have stabilized. Focusing on the City's General Fund financial status, Ms. Karlen stated the revenues were greatly impacted by the economic situation in the area; property tax revenue was the only exception; total General Fund revenue received was approximately \$18 million compared to \$19 million a year ago at this time; the most significant decline came from office equipment and the electronic equipment business segment; at the end of 2002, General Fund expenditures remained under budget; the vacancy factor had been reduced from the budget; based on the six-month revenue receipts, staff had revised General Fund Revenue projection for the whole year, showing that the General Fund Revenue would be \$3.9 million less than originally projected; staff expected departments to continue with cost savings, primarily in the area of services and supplies, perhaps achieving approximately \$2 million this year; however, given the cost savings, the result still showed a short fall of almost \$8 million, requiring the use of the unreserved/undesignated fund balance; the original projection was that the General Fund would use \$1.45 million of the PERS rate stabilization reserve, \$1.3 million of the Capital contingent reserve, and \$3.4 million of the unreserved/undesignated fund balance; the revised projection showed an additional \$1.8 million of the unreserved/undesignated fund balance would be utilized, leaving a balance of \$9.75 million by June 30, 2003. Ms. Karlen explained that staff's goal was to work with each department to come up with more cost savings to offset the additional revenue shortfall.

Ms. Karlen concluded that there were several issues and challenges for the remainder of this fiscal year and the next fiscal year such as lay offs continuing to occur, uncertainties in the National security as the country prepared for war, the California state budget deficient with the Governor proposing to take away revenue from local governments, with recovery not expected until the last quarter of 2003, and slower recovery in the Bay Area than in southern or central California.

Ms. Karlen provided possible budget dates to the Council for feasibility; April 15 – Engineering Department would present next year's draft CIP; May 6 – there would be a public hearing on utility rates; May 13 – a special meeting was being proposed to conduct the Budget Hearing and, if necessary, continue to May 15; it was planned to bring both the operating and the CIP budgets back to the Council for adoption on June 3.

City Manager Wilson, referring to the General Fund estimates for the year, which reflected a potential of an approximate \$2.06 million shortfall against the projected budget, commented that staff had been working on an analysis and commitment to try to find within this year's budget \$2 million; there would be a series of kinds of savings, some administered through the Manager's office and Departments; some will affect potentially proposed programs which will require the Council's review and consideration for any reductions or freezing of types of programs and associated costs. Mr. Wilson stated staff would have a list of proposed reductions in programs that would accomplish a part of the \$2 million savings before the Council no later than the March 4, 2003, meeting for policy direction; the worst case scenario dynamics was the assumption that all the \$3.6 million projected vehicle license fees would be lost for 2003/2004 (or at least 2/3 of that number, which would equate to approximately \$2.6 million); Council will also be provided with a base budget projection for adoption at the June 3, 2003, meeting along with some contingencies; indications were that 2003/2004 as well as 2004/2005 would be difficult years; the Council will be asked for assistance in designing the priorities that should be brought to the Community; some things will need to be sacrificed at a program level, which will be tough decisions.

Councilmember Livengood, referring to the General Fund Estimated Expenditures, which showed a savings of \$2.06 million, requested clarification of how the \$2 million deficit was arrived at. City Manager Wilson, referring to the General Fund Reserve Status, stated the approximate \$2 million deficit was the difference between the unreserved/undesignated original projection and the revised figures if some savings cannot be accomplished.

Councilmember Livengood stated most of the money would have to come from the top line (Salaries and Wages); philosophically, there were two ways to get at the number: 1) cut the number of employees or 2) keep all the employees and reduce the cost of the employees through wage concessions/freezing; and one of those two things would have to happen to have an impact on the deficit. City Manager Wilson stated, that for this year, he believed the savings could be accomplished without doing more that had already been done with the frozen positions and the savings generated; felt that through reductions in services, supplies, and programs, this year's budget could be balanced; the issue becomes the 2003/2004 Budget year; and the concern was how to get to that point without getting into the personnel costs. City Manager Wilson reiterated that staff would be looking for direction from the Council for addressing issues such as reduction in force or reduction in merit pay, promotions and/or contracted salary increases; staff hoped to bring a series of options that would include some of those issues and receive direction on how the Council wished to proceed on the 2003/2004 budget process.

Councilmember Livengood, referring to a retirement incentive program PERS offered a few years back, inquired if this type of program was possible again. City Manager Wilson responded there were two ways of approaching it; a PERS package would have to be generated, defined, and approved by PERS within its system, which took legislative action;

there had been no indication that PERS was considering such a package at this time. City Manager Wilson said another approach would be through PARS; a separate annuity would be worked out which allowed an increase of benefit upon retirement from a separate retirement program. Councilmember Livengood said he was looking for options and different alternatives that could be brought to Council at budget time (a menu of choices); and when a reduction in force is talked about, it be done equally. City Manager Wilson stated staff would put together a whole set of options for Council consideration, reserving the need to absolutely reduce some citizen services and perhaps some staff to be as modest as possible; and look at alternate ways to fund the library.

Vice Mayor Dixon said she was glad to hear the City Manager bring up the alternative funding of the \$5 million for the library; in her discussions with other cities, Milpitas was in a far better situation than most cities within the County; she wanted as many things to choose from as possible; agreed that employee considerations be done across the board; and inquired how the City Manager wished to receive suggested ideas. Mr. Wilson stated that all employees had been encouraged to submit ideas. Vice Mayor Dixon said it would take all of us working collectively to pull this out.

Councilmember Polanski expressed the desire that City staff and the public to be aware that the \$8 million, which could be the deficit for next year, was a floating number; and things could change drastically over the next few months.

Councilmember Gomez, referring to communications with the employees, wanted to make sure that all employees, including the guy who drives the truck, were also being communicated with. City Manager Wilson stated the ideas were being received from top to bottom; he was directly working with the section units and division units; and hoped to connect with every employee personally. Councilmember Gomez, addressing Finance Director Emma Karlen, requested a department by department expenditure report. Ms. Karlen stated that could be included in the next report.

Mayor Esteves stated he felt it should be a collective effort by City Council, staff and management, and called upon the City's union groups to come forward and speak up with ideas of ways to help the City.

MOTION to note receipt and file the City's financial status report for the six months ended December 31, 2002.

M/S: Livengood, Polanski.

Ayes: 5

***RA8.
Investment Portfolio Status**

Noted receipt and filed the investment report for the quarter ended December 31, 2002.

***RA9.
Owner Participation Rules**

Adopted Resolution No. RA198 adopting Owner Participation Rules for the Milpitas Redevelopment Project Area No. 1.

**RA10.
ADJOURNMENT**

There being no further Redevelopment Agency business, Mayor Esteves adjourned the Redevelopment Agency meeting at 9:11 p.m.

The City Council meeting continued.

REPORTS OF OFFICERS AND BOARDS

**1.
City's 50th Anniversary**

Mayor Esteves stated the City would be celebrating its 50th anniversary next year; felt there should be some degree of celebration; suggested a committee or a task force be formed composed of various groups including one representative from each of the City's commissions; requested Councilmember Polanski, who had volunteered to be part of the

committee, take part in the planning by providing some guidance in the planning and implementation of the celebration; referring to the budget issue; stated ways to approach it was to adopt a maximum budget or allow the committee to develop some plans and recommend the budget amount; and his preference was to set a maximum budget amount for the committee to use for guidelines.

Vice Mayor Dixon felt that when times were bad, everybody should get together and focus on something; the celebration could be on-going throughout the year; suggested examples of events such as holding the 2004 Commissioners Recognition Dinner on the plaza during the summer, saving money by doing a buffet with the School District food services or a BBQ, making the evening's theme not only recognition of commissioners, but also providing the commissioners with a gift commemorating the City's 50th anniversary; get more people involved during the 4th of July event with the theme "50 years of Milpitas History"; both of these annual events would be reflected in the upcoming budget; there could be a City booth at the Summer Festival depicting the City's 50th as well as placing information in the City's display unit at the Great Mall; and felt these were some things that would help soften the celebration budget.

Councilmember Gomez stated he was uncomfortable at this stage to just throw numbers out and would like a report from the group first.

Councilmember Livengood suggested that the appointed committee come back to the Council with ideas.

Councilmember Polanski stated that two of the Commissions she is liaison for had made the 50th Anniversary part of their work plans; agreed that the celebration could take place throughout the year; and that the committee return to the Council with a menu of options.

MOTION to

1. Approve the formation of a 50th Anniversary committee comprised of one member from each of the City's commissions/committees/boards joined by Councilmember Polanski as the Council liaison.
2. Direct the committee to provide guidance in terms of planning and implementation of the 50th anniversary, and report back to the Council with a draft plan, including alternatives, and proposed budgets.

M/S: Esteves, Dixon.

Ayes: 5

3. Library Project Consultant Selection

Vice Mayor Dixon removed this item from the Consent Calendar because she thought it was an important issue that many people followed at home, were excited and supportive about, and when it was on the agenda, she thought it should not be on consent.

Senior Analyst Cindy Maxwell presented an update on the project to replace the existing library reporting that the existing site was selected as the location for the new library and a needs assessment was completed last year that identified what was needed by going out to the residents and the community and finding out what was wanted in the library. Ms. Maxwell reported the next phase was preparation of the Building Program that would provide a master plan and guidelines for the building design phase. Ms. Maxwell further reported the Library Subcommittee interviewed consultants for this Building Program and was recommending Ripley Architects to prepare the Building Plan. Ms. Maxwell commented that since last week, staff had conducted reference checks and visited the architect's offices and projects the architect worked on and if the Council approved the selection, staff would negotiate a contract that would be brought to the Council in March.

Mayor Esteves commented that the Library Subcommittee interviewed four great applicants and was very optimistic.

MOTION to approve the selection of Ripley Architects and direct staff to negotiate a contract to prepare a Building Program for the new library.

M/S: Dixon, Livengood.

Ayes: 5

4.
Telecommunications
Master Plan Update

Albert Alcorn, Chair of the Telecommunications Commission, acknowledged the presence of Telecommunications Commission members Dinesh Gupta, Gunawan Alisantosa, and Parveen Gupta in the audience. Mr. Alcorn presented an overview of the Master Plan commenting on the recommendations in the original plan approved in 1995, the status of those recommendations, additional projects such as the City Hall technology, and reported that most of the goals had been accomplished. Mr. Alcorn further commented on 2003 review and update of the Master and recommended approval by the City Council.

Vice Mayor Dixon commented that she thought Mr. Alcorn's presentation was great and she couldn't thank the Commission enough. Vice Mayor Dixon said she didn't want to lose track of connecting the fiber ring to the Sports Center and she had been a big supporter of getting the high school football games televised. Vice Mayor Dixon asked for an explanation as to why the City's phone system doesn't have the ability to identify the caller instead of "unknown caller" being displayed.

Information Services Director Bill Marion explained the number being sent out was only a four-digit number instead of the full number and this was a problem with some systems; the City has the capability of either blocking or unblocking all phones and there are some phones, because of necessity, that need the numbers blocked (i.e., some police numbers).

Vice Mayor Dixon encouraged in the re-negotiation of the cable franchise that staff go after additional PEG (public, education, government) channels stating that she would like to have two and now was also the time to find some type of studio location. Mr. Alcorn said that was the Commission's ultimate goal. Vice Mayor Dixon asked if this was something the City could approach the School District about. Mr. Marion responded in some past franchise agreements, the franchisee has provided some equipment and there were also some regional studios as well. Vice Mayor Dixon commented that with respect to the geographical information system, she was looking at this as an opportunity for Milpitas to move ahead and be a model city.

Councilmember Gomez commended Mr. Alcorn and the Commission for a good report and a good plan and expressed his appreciation to all the members of the Commission.

MOTION to receive the Telecommunications Commission report and approve the Master Plan.

M/S: Dixon, Gomez.

Ayes: 5

NEW BUSINESS

5.
Senior Center Facility

Principal Engineer Mark Rogge, using a PowerPoint presentation, reviewed the recommendations of the Senior Center Facility Subcommittee to install a modular addition and make improvements to the existing Sal Cracolice Youth Center facility to support Senior Center activities for the next three to four years. Mr. Rogge reported the improvements would include upgrading the existing kitchen and food service facility, repair or replacement of the roof, improvements to building access, and installation of 3,600 sq. ft. modulars to be used for various senior activities. Mr. Rogge further reported the estimated total cost for the improvements was \$573,000 (\$470,000 for the modular building units and \$103,000 for the

improvements to the existing building). Mr. Rogge said CDBG funds were proposed to be used since the improvements were an interim solution to get into a permanent facility and Redevelopment funds were another possible source. City Manager Wilson clarified that of the \$573,000, approximately \$200,000 was proposed from CDBG funds and the balance from the Redevelopment Agency reserves.

Vice Mayor Dixon commented that this proposal was also reviewed by Jim Burns and Steve Lu of the Senior Advisory Commission who were pleased with it knowing that times are bad right now and the seniors will be at this location for three or four years, depending on how fast we can move with a permanent facility.

Councilmember Polanski said she stopped by the temporary Senior Center and the kitchen area was very inadequate and needed some renovation; she also knew the seniors have been keeping an eye on this project and are looking forward to getting to the next phase when they can get a new center. Councilmember Polanski further stated two areas of concern were (1) there is no actual drop off for bus service close to the Cracolice Center and (2) sometimes the people released from the Elmwood facility come to the center to use the telephone. Councilmember Polanski inquired if anything could be done to encourage Elmwood to put in phones for the people who are being released to use. Councilmember Livengood inquired if they were coming in to use a pay phone or the City's phone.

Recreation Services Manager Bonnie Greiner responded there have been three visitors to date who have come without money; if they have money, they can use the pay phone between the Cracolice Center and the Post Office. Councilmember Livengood suggested posting a sign stating that the phones are for official City business only. Assistant City Manager Blair King reported that this concern had been passed on to the County's Elmwood Team. Councilmember Livengood noted there were also phones by the Taco Bell.

City Manager Wilson commented that the City does have a new van which is used to bring seniors from the Main Street site to the Cracolice Center and the frequency of this service could be modified. Ms. Greiner added that staff was currently working with the Senior Advisory Commission to work out a car pool/rideshare program.

Councilmember Gomez inquired if there was a timeline for the improvements. Mr. Rogge responded staff would begin working on the preliminary design package to give to PG&E but he didn't expect to see anything before nine months or more. Councilmember Gomez inquired about the resale value. Mr. Rogge responded after it had served its purpose, one option would be to continue to use it at the existing site or relocate it to a different location or put it on the market to sell.

Vice Mayor Dixon commented that using it at the existing site would give the City the ability to increase the level of youth services at the Cracolice Center. Vice Mayor Dixon cautioned about fast-tracking the project because the critical issue was PG&E, she thought the seniors understood that and they wanted to work with the City to save money.

Mayor Esteves commented that the seniors know the City is trying its best to move this interim facility along, they need it, and during this construction there will not be disruption of senior activities.

Mr. Rogge clarified that to the extent the modulares were funded through CDGB funds and later sold, the money would go back into the CDBG program.

MOTION to approve the Senior Facilities Subcommittee recommendation for the installation of modulares and authorize improvements at the Sal Cracolice Building.

M/S: Polanski, Dixon.

Ayes: 5

BIDS & CONTRACTS

10.
Contract for
Basketball Referees

Mayor Esteves removed this item from the Consent Calendar stating he wanted some additional information about the City basketball league. Recreation Services Manager Greiner commented that they play on three evenings and she would be happy to send the Mayor all the information. Mayor Esteves inquired if volunteers might be used as a way of saving money. Ms. Greiner commented on some the difficulties with adult sports, the City has had a certified referee program for the past 15 years that all the cities in the County are affiliated with, and the full \$20,000 was seldom used.

MOTION to approve the contract with Ed Fairley's Quality Referee Association in the amount of \$20,000 subject to approval as to form by the City Attorney.

M/S: Esteves, Livengood.

Ayes: 5

ADJOURNMENT

There being no further Council business, Mayor Esteves adjourned the City Council meeting at 10:15 p.m.

Gail Blalock, CMC
City Clerk

The foregoing minutes were approved by the City Council as submitted on February 18, 2003.

Gail Blalock

Date